

**UNITED STATES DISTRICT COURT**

## EASTERN DISTRICT OF TEXAS

JACOB ALAN POWELL,

Petitioner,

*versus*

WARDEN, FCI BEAUMONT LOW,

Respondent.



CIVIL ACTION NO. 1:21-CV-409

**MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING  
THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION**

Petitioner Jacob Allen Powell, an inmate confined within the Bureau of Prisons, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. The court previously referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court.

Petitioner has filed a motion seeking a temporary restraining order (#2). The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge concerning the motion. The magistrate judge recommends denying the motion.

The court has received the Report and Recommendation, along with the record, pleadings, and all available evidence. Petitioner filed objections to the magistrate judge's Report and Recommendation.


The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. After careful consideration, the court is of the opinion petitioner's objections are without merit. In his objections, petitioner states that the locker he uses to store his legal material was improperly confiscated. He also states he has been improperly denied access to a typewriter. However, petitioner filed a lengthy petition with the court which thoroughly explains why he believes he is entitled to relief. The actions complained of in his motion and objections have not prevented him from being able to litigate his petition. As a result, petitioner is not

entitled to preliminary injunctive relief. Petitioner is free to file a separate civil rights lawsuit concerning the actions described in his motion and objections.

**ORDER**

Accordingly, the objections filed by petitioner are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. Petitioner's motion for a temporary restraining order is **DENIED**.

SIGNED at Beaumont, Texas, this 25th day of January, 2022.

A handwritten signature in black ink, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE